

REMARKS**I. Status of the Claims:**

Upon entry of this Amendment, claims 1-14, 16-17, and 19-26 are currently pending. Claims 15 and 18 have been canceled without prejudice or disclaimer and claims 1-14, 16-17, and 19-26 have been amended. Applicants believe these changes introduce no new matter. Accordingly, entry and consideration of this Amendment are respectfully requested.

II. Rejections under 35 U.S.C. §103

Claims 1-26 are rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over U.S. Patent No. 5,813,233 to Okuda et al. (“Okuda”) in view of U.S. Patent Application Publication No. 2004/0035570 to Hara (“Hara”). Applicants respectfully request reconsideration for at least the following reasons.

Amended independent claim 1 is directed to a temperature adjustment apparatus for adjusting temperature of an a reflective optical member. The claimed apparatus comprises a first radiation mechanism. As amended, claim 1 recites “said first radiation member and a reflective area of the reflective optical member radiating heat to each other.” Amended independent claims 16 and 23 recite similar features. These features are neither taught nor suggested by Okuda and Hara. Accordingly, Applicants assert that claims 1, 16, 23, and their dependent claims are patentable over Okuda in view of Hara.

Amended independent claim 20 is directed to an apparatus comprising an optical member and a stop. Claim 20 recites “wherein emissivity of said stop is less than 0.1 or more than 0.9.” A similar feature is recited in independent claim 21. Applicants assert that claims 20 and 21 (as well as dependent claim 22) are distinguishable over these references because these features are neither taught nor suggested by Okuda in view of Hara.

For at least the reasons set forth above, Applicants respectfully request that the outstanding rejection under 35 U.S.C. § 103 be withdrawn.

CONCLUSION

Based on the foregoing amendments and remarks, Applicants respectfully request reconsideration and withdrawal of the rejection of claims and allowance of this application.


AUTHORIZATION

The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. 13-4500, Order No. 1232-4982.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 13-4500, Order No. 1232-5379.

Respectfully submitted,
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